

**Notice of Allowability**

Application No.

09/714,673

Applicant(s)

NELSON, WILLIAM M.

Examiner

Duc C Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 10-14-04.
2. ☒ The allowed claim(s) is/are 3, 5-9, 4, 10-25, 22, 31-33, 26-30. Renumbered 1-31, respectively.
3. ☒ The drawings filed on 14 November 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>121004</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                       |
|   | 9. <input type="checkbox"/> Other _____.   |

### **EXAMINER 'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mary Ramos Olynick on 12-10-04.

The application has been amended as follows:

In the claims:

Claim 32, line 1, " 32. (New) An apparatus as recited in claim 15, wherein the analyze module is further configured to perform web caching." has been changed to --- 33. (New) An apparatus as recited in claim 15, wherein the analyze module is further configured to perform web caching. ---.

### **Reason for allowance**

2. The following is an examiner's statement of reasons for allowance:

Regarding claims 3-9, the prior arts fail to teach or fairly suggest an apparatus for buffering packet data sent from a first node to a second node within a computer network, the apparatus comprises a second processor, wherein the second processor of the second device manages the buffer of the first device by causing data fragments of a datagram to be stored in the buffer in an order that was used to send such data fragments, in combination with other limitations, as specified in the independent claims 3, and 4.

Regarding claims 10-11, the prior arts fail to teach or fairly suggest an apparatus for buffering packet data sent from a first node to a second node within a computer network, the

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apparatus comprises a second processor, wherein the second processor of the second device manages the buffer of the first device by instructing the first processor of the first device to read and analyze packet data from a particular buffer address of the buffer, in combination with other limitations, as specified in the independent claim 10.

Regarding claims 12-27, and 31-33 the prior arts fail to teach or fairly suggest an apparatus for buffering packet data sent from a first node to a second node within a computer network, the apparatus comprises a manager module for receiving packet data, the manager being configured to send commands to the buffer module indicating that received data packet is to be stored within the buffer at locations specified by the manager module and specifying data portions that are to be transmitted from the buffer to a selected destination, in combination with other limitations, as specified in the independent claim 12.

Regarding claims 28-30, the prior arts fail to teach or fairly suggest an apparatus for analyzing packet data sent from a first node to a second node within a computer network, the apparatus comprises a second means, wherein the second means is also configured for receiving the transmit command and in response to such transmit command, transmitting the specified data portion from the buffer, in combination with other limitations, as specified in the independent claims 28, 29, and 30.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner



Duc Ho

12-10-04